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VIA ECF

Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Lawson et al. v. Rubin et al.*
No. 1:17-cv-06404-BMC

Dear Judge Cogan:

I represent Plaintiffs and write to request emergency relief in response to Defendants' 4:46 p.m. filing designated a "Motion for Reconsideration." (Dkt. No. 35.) Setting aside the propriety of filing what is effectively a reply brief following the Court's entry of an order, Defendants' memorandum of law and the declaration filed by counsel for Defendant Powers, Jeffery Eilender, violate the Court's protective order by providing clear instructions on how to identify Plaintiffs' true identities. Plaintiffs respectfully request that the Court order Defendants to withdraw their papers immediately, or to otherwise remove the papers from ECF.

Defendants purposely included in their filing—which Defendants did not make under seal—multiple roadmaps that provide clear instructions for any individual wishing to make public Plaintiffs' identities. Defendants then threaten to reveal Plaintiffs' names and the facts asserted in this complaint in a motion to dismiss the Queens County summons with notice. This is particularly troubling when a motion to dismiss that summons with notice on procedural grounds need not include the type of factual allegations Defendants threaten to make. Such a threat reveals what Defendants are truly attempting here: to deliberately circumvent this Court's orders in order to make it impossible for Plaintiffs to remain anonymous.

This violates both the spirit and the letter of the Court's protective order (Dkt. No. 7) and the Court's order denying Defendants' motion to vacate (Dkt. No. 35), and should not be permitted.

Respectfully submitted,



John G. Balestiere